BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING - February 21, 2013 City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (voting on items 1 - 69)

Henry P. Szymanski (voting on items 1 - 69) **Members:**

> Donald Jackson (voting on items 1 - 69) Martin E. Kohler (voting on items 1 - 69) Jose L. Dominguez (voting on items 1 - 69)

> > Premises Address/Ald. Dist.

A/K/A 5114 W. Center St.

5116 W. Center St.

10th Dist.

Alt. Board Members: Leni M. Siker (excused)

START TIME: 4:05 p.m. End Time: 7:37 p.m.

<u>Item</u> Case No./ Case Type No.

31851

Special Use

Description West Hawkins

Higher Standards Learning Academy

LLC;Other

Request to increase the number of children from 25 to 35 per shift, to expand to the 2nd floor, and to continue occupying the premises as a day care center for children infant to 12 years of age operating Monday - Sunday 6:00 a.m.

- 11:30 p.m.

Action: Dismissed

Motion: Martin Kohler moved to dismiss the appeal. Seconded by Henry Szymanski.

Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.

Conditions of Approval:

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
2	31983 Special Use	Iglesia Pentecostal Camino de Santidad Lessee	1651 B S. 11th St. A/K/A 1651 S. 11th St. 12th Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	- -
	Action:	Dismissed	
	Motion:	Martin Kohler moved to grant the appeal. S	econded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
3	32186 Special Use	Third Coast Inn, Inc. Carolyn Weber, President;Lessee	602 S. 3rd St. A/K/A 255 W. Bruce St.
		Request to occupy the premises as a bed and breakfast.	12th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
4	31806 Special Use	Hasan T. Yousef Khaled Farhud;Property Owner	3501 W. Center St. A/K/A 3503 W. Center St. 15th Dist.
		Request to occupy a portion of the premises as a fast-food / carry-out restaurant.	Tour Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.
5	32037 Special Use	Ricky J Burt Property Owner Request to occupy the premises as a day care center for 59 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m midnight (day care center to operate in conjunction with the Board approved day care center at 2206 W. Center St.).	2200 W. Center St. A/K/A 2202 W. Center St. 15th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.	
6	32299 Special Use/ Dimensional Variance	S.G. Properties LLC Property Owner Request to continue occupying the premises as a rooming house for 8 occupants that does not meet the minimum required lot area per roomer (required 600 sq.ft. / proposed 273 sq.ft.), and minimum required number of parking spaces (required 4 / proposed 1).	1009 N. 14th St. A/K/A 1007 N. 14th St. 4th Dist.	
	Action:	Granted 10 yrs.		
	Motion:	Martin Kohler moved to grant the appeal. S	econded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	lyes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		That the building and premises shall, in all other respects, comply pplicable building and zoning code regulations.	
		2. That any permits required to executivithin one (1) year of the date hereof.	ite the approved plans be obtained	
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be	

- be
- 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.
- 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for R-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 7. That the petitioner obtains a rooming house license from the Department of Neighborhood Services.
- That this Special Use and these Variances are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> No.	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
7	32300 Special Use/ Dimensional Variance	S.G. Properties LLC Property Owner Request to continue occupying the premises as a rooming house for 8 occupants that does not meet the minimum required lot area per roomer (required 600 sq.ft. / proposed 273 sq.ft.	1007 N. 14th St. A/K/A 1009 N. 14th St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion: Martin Kohler moved to grant the appeal. Seconded by F Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.		l. Seconded by Henry Szymanski.
		1. That the building and premises with applicable building and zoning cod	shall, in all other respects, comply e regulations.
		2. That any permits required to exwithin one (1) year of the date hereof.	secute the approved plans be obtained
		3. That the Plan of Operation and	all plans as submitted to the Board, be

- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.
- 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for R-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 7. That the petitioner obtains a rooming house license from the Department of Neighborhood Services.
- 8. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.
8	32230 Special Use	The Children's Place Learning Center Inc. Lessee Request to increase the number of children from 39 to 45 per shift and to increase the hours of operation from Monday - Friday 6:00 a.m 11:00 p.m. to Monday - Friday 5:30 a.m 10:00 p.m. and Saturday - Sunday 5:30 a.m 10:00 p.m., and to continue occupying the premises as a day care center for children infant to 12 years of age.	3401 N. 76th St. A/K/A 7608 W. Townsend St. 5th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Secon	nded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, applicable building and zoning code regulations	1 , 1 3
		2. That any permits required to execute t	he approved plans be obtained within

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
- 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.
- 7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- 8. That the petitioner maintain the opaque fence.
- 9. That the petitioner submit a copy of the State of Wisconsin day care license (that reflects the increased number of children) to the Board of Zoning Appeals within 60 days of State issuance of the license.
- 10. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 11. That the facility does not exceed a capacity of 45 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 45 children.
- 12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on June 22, 2016.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
9	32280 Special Use	SBA Monarch Towers III, LLC Lessee	10136 W. Fond Du Lac Av. A/K/A 10136 W. Fond Du Lac Av. 5
		Request to continue to allow a transmission tower on the premises.	5th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the reque rescheduled for the next available hearing.	st of an interested party and will be
	Vote:		
	Conditions of Approval:		
10	32293 Use Variance	Paul M Scholl Property Owner	9211 W. Auer Av. A/K/A 9205 W. Auer Av. 5th Dist.
		Request to continue occupying the premises as a medical office.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. S	econded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sha with applicable building and zoning code re	
		2. That any permits required to executive within one (1) year of the date hereof.	te the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be
		4. That no employees park on Auer A	Ave.
		5. That the petitioner take all measure loitering, and loud noise on the premises, in private personnel if necessary.	
		6. That this Use Variance is granted f commencing with the date hereof.	for a period of ten (10) years,

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.
11	32204 Special Use	Emilia Nunez Lessee	2118 N. Buffum St. 6th Dist.
		Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. S	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code re	
		2. That any permits required to executive within one (1) year of the date hereof.	ute the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be
		4 That there be no signage associate	ed with the day care facility

- 4. That there be no signage associated with the day care facility
- 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
- 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.
- 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.
- 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
12	32286 Special Use	Angelia R Lewis Lessee Request to continue occupying the premises as a group home for 5 occupants.	3517 N. 25th St. A/K/A 3517 A N. 25th St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code in	
		2. That any permits required to exec	cute the approved plans be obtaine

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.
- 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> No.	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
13	32210 Special Use	Cynthia D Johnson Property Owner Request to continue occupying a portion of the premises as a group home for 8 occupants.	4821 W. Burleigh St. A/K/A 4821 W. Burleigh St. 1 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the request. Seconded by Henry Szyr 4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Vote:		
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	1 1 1
		2. That any permits required to exec	ute the approved plans be obtained

- within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 5. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District, and the Department of Neighborhood Services. The phone number must be available 24 hours a day.
- 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
14	32274 Special Use	Anna Stanley Property Owner	4808 W. Fond Du Lac Av. A/K/A 4820 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. S	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code re	
		2. That any permits required to executive within one (1) year of the date hereof.	ute the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be
		4. That landscaping and screening is the intent of city code.	maintained in a manner that meets
		5. That signage must meet the signage Milwaukee Zoning Code.	ge standards of s.295-605 of the

6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.

7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
15	32303 Special Use	Tasha Walker Lessee Request to continue occupying the premises as a group home for 8 occupants.	2770 N. 45th St. A/K/A 2772 N. 45th St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Henry Szy 4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Vote:		
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code	1 1 1
		2. That any permits required to execute 2.	cute the approved plans be obtained

within one (1) year of the date hereof.

- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District, and the Department of Neighborhood Services. The phone number must be available 24 hours a day.
- 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
16	16 32287 Fiesta Property's LLC Special Use Property Owner Request to continue occupying premises as an assembly hall.		1329 S. 35th St. A/K/A 1327 S. 35th St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jack	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	1 1

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 5. That the applicant supply a 24-hour contact phone number to the Board office and any interested party that requests it.
- 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 7. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- 8. That the unused driveway located on West Greenfield Avenue be removed and restored to City of Milwaukee specifications.
- 9. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, removal of the unused driveway approach on West Greenfield Avenue.
- 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for A-3 occupancies and complies with all zoning conditions and building code requirements.
- 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- 12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
17	32298 Special Use	Javier Marban J & J Appliances;Lessee Request to continue occupying the premises as a second-hand sales facility (this is a new operator).	2517 W. Greenfield Av. A/K/A 2517 A W. Greenfield Av. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	 Martin Kohler moved to grant the appeal. Seconded by Martin Kohler. 4 Ayes, 0 Nays, 1 C. Doyle Abstained. 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 	
	Vote:		
	Conditions of Approval:		
		2. That any permits required to execu within one (1) year of the date hereof.	te the approved plans be obtained

- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 6. That the applicant does not have outdoor storage or display of products or merchandise.
- 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
18	32262 Special Use	Community Financial Service Centers Inc. Lessee	8923 W. Brown Deer Rd. A/K/A 8921 W. Brown Deer Rd. 9th Dist.
		Request to continue occupying the premises as a currency exchange facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, c with applicable building and zoning code regulations.	
		2. That any permits required to executivithin one (1) year of the date hereof.	ate the approved plans be obtained

- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business B occupancies and complies with all zoning conditions and building code requirements.
- 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
19	32265 Special Use	Complete Warehouse & Distribution LLC Michael Miller;Lessee	7655 W. Dean Rd. 9th Dist.
		Request to continue occupying the premises as an outdoor wholesale and distribution facility.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. S	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of 1. That the building and premises shall, in all oth Approval: with applicable building and zoning code regulations.		1 1 1
		2. That any permits required to executivitin one (1) year of the date hereof.	ate the approved plans be obtained
		2 That the Diamet Countries and all	olono de locido las de Decelho

- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the outdoor storage area is screened with opaque materials in such a matter that it is not visible from N. 76th St or W. Dean Rd.
- 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions and building code requirements.
- 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.	
20	32111 Special Use	Wilson Wright Jr. Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	5301 W. Lisbon Av. A/K/A 5311 W. Lisbon Av. 10th Dist.	
	Action:	Granted 10 yrs.		
	Motion:	Martin Kohler moved to grant the appe	rtin Kohler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained	yes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	e 1	That the building and premises shall, in all other respects, comply applicable building and zoning code regulations.	
		2. That any permits required to e	execute the approved plans be obtained	

- within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That landscaping and screening is implemented and maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on November 8, 2001 or other landscape plan as approved by the Zoning Administrative Group.
- 6. That no work or storage of vehicles occurs in the public right-of-way.
- 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.
- 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- 9. That all repair work is conducted inside the building.
- 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.	
21	32203 Special Use	Julio Cesar Ferrufino Lessee Request to continue occupying a portion of the premises as a second-hand sales facility.	1216 S. Cesar E Chavez Dr. A/K/A 1220 S. Cesar E Chavez Dr. 12th Dist.	
	Action:	Granted 5 yrs.		
	Motion:	Martin Kohler moved to grant the appeal.	Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	ined.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	1	
		2. That any permits required to exec	ute the approved plans be obtained	

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- 6. That the applicant does not have outdoor storage or display of products or merchandise.
- 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. Per pictures submitted by the applicant, permanent window signage in front window appears to exceed 25% of the total area of the window, in violation of 295-407-3-b-7.
- 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
22	32282 Use Variance	Auto Page Sound and Glass Lessee Request to continue occupying the premises as a motor vehicle repair facility .	1919 S. 13th St. A/K/A 1919 A S. 13th St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. S	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sha with applicable building and zoning code re	
		2. That any permits required to executivithin one (1) year of the date hereof.	ute the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be
		4. That there be no installation of any security equipment.	y motor vehicle audio, alarm or
		5. That signage must meet the signage Milwaukee Zoning Code.	ge standards of s.295-505-5 of the
		6. That no work or storage of vehicle	es occurs in the public right-of-way.
		7. That the applicant has no outdoor vehicles or other junk and debris.	storage of auto parts, tires, nuisance
		8. That the applicant has no outdoor signage that has been approved and installe sign permit.	banners or other advertising except ad according to the requirements of a
		9. That all repairs, installations and t inside the building with the door closed.	esting of equipment is conducted

commencing with the date hereof.

That this Use Variance is granted for a period of three (3) years,

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
23	32238 Use Variance	Miles Iverson Lessee	4905 S. Howell Av. A/K/A 4907 S. Howell Av. 13th Dist.
	Request to continue occupying the premises as an indoor recreation facility.	Request to continue occupying the premises as an indoor recreation facility.	Tour Dist.
	Action:	Granted 10 yrs.	
Motion: Martin Kohler moved to grant the appeal. Seconded by Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: That the building and premises shall, in all of with applicable building and zoning code regulations.		Martin Kohler moved to grant the appeal. S	econded by Henry Szymanski.
		2. That any permits required to executivithin one (1) year of the date hereof.	te the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be
		4. That this Use Variance is granted f commencing with the date hereof.	for a period of ten (10) years,

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
24	32239 Special Use	Edward C Witzlib Lessee	4296 S. 27th St. 13th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility and car wash.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises s with applicable building and zoning code	hall, in all other respects, comply regulations.
		2. That any permits required to exe within one (1) year of the date hereof.	cute the approved plans be obtained

fully complied with and maintained.

- 3. That the Plan of Operation and all plans as submitted to the Board, be
- 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That the applicant does not have outdoor storage or display of products or merchandise.
- 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit
- 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.
25	32260 Special Use	Salim Shelleh Property Owner	6206 S. 27th St. 13th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	
		2. That any permits required to exec within one (1) year of the date hereof.	ute the approved plans be obtained

- within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.
- 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 6. That landscaping and screening is maintained in a manner that meets the intent of city code.
- 7. That no vehicles block any driveway to the site.
- 8. That no sales vehicles are displayed in the public right-of-way.
- 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.
- 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- 11. That all repair work is conducted inside the building.
- 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
26	32267 Special Use	The Peltz Group, LLC d/b/a WM Recycle America;Lessee	2020 W. Morgan Av. 13th Dist.
		Request to continue occupying the premises as a heavy motor vehicle repair facility (site also contains a permitted recycling collection facility and an accessory heavy motor vehicle parking lot).	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	
		2. That any permits required to execution one (1) year of the date hereof.	ute the approved plans be obtained

- d
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- That landscaping and screening is maintained in a manner that meets 4. the intent of city code.
- 5. That the Plan of Operation dated June 30, 2004 and amended on August 24, 2006 be fully complied with and maintained.
- That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.
- 7. That the petitioner pick up litter, trash, garbage, debris, stray recyclables etc. on the premises and in the surrounding neighborhood on a daily basis including on private property upon request of the property owner.
- 8. That petitioner remove trash, litter etc. from sewer openings and manhole covers as needed.
- 9. That the petitioner take all measures necessary to control loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.
- 10. That the petitioner conduct meetings with neighborhood residents on a quarterly basis or more frequently as needed.
- That there be no loose storage of paper or other recyclable materials on site. All materials must be stored in containers, or in another manner that restricts materials from blowing onto neighboring property.
- That the petitioner take reasonable measures to control the early 12. morning queuing of trucks along W. Morgan Ave.

<u>Item</u>	Case No./
No.	Case Type

Description

Premises Address/Ald. Dist.

2020 W. Morgan Av. (continued)

- 13. That signage must conform to the sign standards of s. 295-805 of the Milwaukee Zoning Code.
- 14. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.
- 15. That unused driveway located on West Morgan Avenue east of the railroad crossing be removed and restored to City of Milwaukee specifications.
- 16. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, removal of the unused driveway approach on West Morgan Avenue.
- 17. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- 18. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-1 occupancies and complies with all zoning conditions and building code requirements.
- 19. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.	
27	32268 Special Use	The Peltz Group, LLC d/b/a WM Recycle America;Lessee	2101 W. Morgan Av. 13 th Dist.	
		Request to continue occupying the premises as a mixed-waste processing facility.		
	Action:	Granted 10 yrs.		
	Motion:	Martin Kohler moved to grant the appeal.	Martin Kohler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.		
	Conditions of Approval:	13. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.		
		2. That any permits required to exec	eute the approved plans be obtained	

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That landscaping and screening is maintained in a manner that meets the intent of city code.
- 5. That the Plan of Operation dated June 30, 2004 and amended on August 24, 2006 be fully complied with and maintained.
- 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/ day.
- 7. That the petitioner pick up litter, trash, garbage, debris, stray recyclables etc. on the premises and in the surrounding neighborhood on a daily basis including on private property upon request of the property owner.
- 8. That petitioner remove trash, litter etc. from sewer openings and manhole covers as needed.
- 9. That the petitioner take all measures necessary to control loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.
- 10. That the petitioner conduct meetings with neighborhood residents on a quarterly basis or more frequently as needed.
- 11. That there be no loose storage of paper or other recyclable materials on site. All materials must be stored in containers, or in another manner that restricts materials from blowing onto neighboring property.
- 12. That the petitioner take reasonable measures to control the early morning queuing of trucks along W. Morgan Ave.
- 13. That signage must conform to the sign standards of s. 295-805 of the Milwaukee Zoning Code.

<u>Item</u>	Case No./
No.	Case Type

Description

Premises Address/Ald. Dist.

2101 W. Morgan Av. (continued)

- 14. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.
- 15. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Factory, F 1 occupancies and complies with all zoning conditions and building code requirements.
- 16. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

28 32278 Special Use Chipotle Mexican Grill

3232 S. 27th St.

Lessee

A/K/A 3230 S. 27th St.

13th Dist.

Request to continue occupying the premises as a fast-food / carry-out restaurant (this is a new operator).

Action:

Granted 10 yrs.

Motion:

Martin Kohler moved to grant the appeal. Seconded by Henry Szymanski.

Vote:

4 Ayes, 0 Nays, 1 C. Doyle Abstained.

Conditions of Approval:

- 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That landscaping and screening is maintained in a manner that meets the intent of city code.
- 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
29	32297 Use Variance	Divine Covenant Church Lessee Request to continue occupying a portion of the premises as a religious assembly hall.	1204 W. Layton Av. A/K/A 1206 W. Layton Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises s with applicable building and zoning code	hall, in all other respects, comply regulations.
		2. That any permits required to exe within one (1) year of the date hereof.	cute the approved plans be obtained

- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts.
- 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements.
- 6. That this Use Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
30	32271 Use Variance	Bay View Community Center Inc. Property Owner	1320 E. Oklahoma Av. 14th Dist.
		Request to continue occupying the premises as a community center.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	
		2. That any permits required to exec within one (1) year of the date hereof.	ute the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be
		4. That this Use Variance is granted commencing with the date hereof.	for a period of ten (10) years,

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
31	32218 Special Use	Ricky J Burt Property Owner	2206 W. Center St. 15th Dist.
		Request to increase the hours of operation from Monday - Friday 6:00 a.m 6:00 p.m. to Monday - Friday 6:00 a.m midnight and continue occupying the premises as a day care center for 59 children per shift infant to 12 years of age.	
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. S	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sha with applicable building and zoning code re	
		2. That any permits required to executive within one (1) year of the date hereof.	ate the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be

- oe.
- That the outdoor play area is not utilized before 9:00 A.M. or after 4. 8P.M.
- 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.
- 6. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- 7. That a loading zone be maintained or obtained on W Center St.
- That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements.
- 9. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 2, 2021.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
32	32232 Special Use	Living Well Academy LLC Willie B Davis Sr.;Property Owner Request to increase the hours of operation from Monday - Saturday 7:00 a.m midnight to Monday - Sunday 5:30 a.m midnight and to continue occupying the premises as a day care center for 30 children per shift infant to 12 years of age.	2901 W. North Av. A/K/A 2249 N. 29th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. S	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	
		2. That any permits required to execution one (1) year of the date hereof.	ute the approved plans be obtained

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- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
- 5. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.
- 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use
- 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the handicap ramp to occupy the public right-ofway.
- 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I -4 occupancies and complies with all zoning conditions and building code requirements.
- 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
33	32284 Special Use	Wisconsin Community Services Inc. Property Owner	2303 W. Galena St. A/K/A 1555 N. 23rd St. 15th Dist.
		Request to continue occupying the premises as a community living arrangement for 13 occupants.	
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execu within one (1) year of the date hereof.	te the approved plans be obtained
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		5. That a contact name and phone nur office within ten days of the issuance of this number must be available 24 hours a day.	
		6. That this Special Use is granted for commencing with the date hereof.	r a period of fifteen (15) years,
34	32321 Dimensional Variance	Robert G. Rauh Milwaukee College Prep School;Property Owner	1228 W. Lloyd St. 15th Dist.
		Request to construct an addition that does not meet the minimum required rear setback (required 4 ft. / proposed 0 ft.).	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the requerescheduled for the next available hearing.	st of an interested party and will be
	Vote:		
	Conditions of Approval:		

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
35	32314 Dimensional Variance	Robert G. Rauh Milwaukee College Prep School;Property Owner	2623 N. 38th St. 15th Dist.
		Request to allow a parking lot that does not meet the minimum required setback, and does not meet the minimum required landscaping.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the reque rescheduled for the next available hearing.	st of an interested party and will be
	Vote:		
	Conditions of Approval:		
36	32199 Special Use	Imani Early Childhood Education Center Ronald Tate & Yvonne Ali;Lessee Request to occupy a portion of the premises as a day care center for 80 children per shift 3 - 12 years of age, operating Monday - Friday 6:00 a.m. to 8:00 p.m	5249 N. 35th St. A/K/A 5249 N. 35th St. 102 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the reque rescheduled for the next available hearing.	st of an interested party and will be
	Vote:		
	Conditions of Approval:		

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
37	32266 Special Use	Angela Cherry-Austin Lessee Request to continue occupying the premises as a 24 hour day care center for 50 children per shift infant to 13 years of age, operating Monday - Friday (this is a new operator).	5250 N. 35th St. A/K/A 5252 N. 35th St. 1st Dist.
	Action:	Granted 3 yrs.	
Motion: Martin Kohler moved to grant the appeal. Second Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of 1. That the building and premises shall, in a with applicable building and zoning code regulation.		Martin Kohler moved to grant the appeal.	Seconded by Henry Szymanski.
		2. That any permits required to executivity one (1) year of the data hereof	eute the approved plans be obtained

- within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
- 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
- 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.
- 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 9. That a loading zone be obtained and maintained on North 35th Street.
- 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 11. That the facility does not exceed a capacity of 50 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 50 children.
- 12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
38	32316 Use Variance	Genesis Behavioral Services, Inc. Lessee Request to continue occupying the premises as a transitional living facility for 4 occupants.	5033 N. 49th St. A/K/A 5033 A N. 49th St. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
		2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.	
		3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
		4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.	
		5. That a contact name and phone nur office within ten days of the issuance of this number must be available 24 hours a day.	
		6. That this Use Variance is granted frommencing with the date hereof.	or a period of five (5) years,
39	32247 Special Use	Donya Parker Property Owner	7401 W. Fond Du Lac Av. A/K/A 7419 W. Fond Du Lac Av. 2nd Dist.
		Request to occupy the premises as a motor vehicle repair and sales facility.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:		
	Conditions of Approval:		

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.	
40	32261 Special Use	Community Financial Service Centers, Inc. Lessee	7410 W. Capitol Dr. A/K/A 7435 W. Appleton Av. 2nd Dist.	
		Request to continue occupying the premises as a currency exchange facility.		
	Action:	Granted 10 yrs.		
Motion: Martin Kohler moved to grant the appeal. Second Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.		Martin Kohler moved to grant the appeal.	Seconded by Henry Szymanski.	
	Conditions of Approval:	e i	That the building and premises shall, in all other respects, comply happlicable building and zoning code regulations.	
		2. That any permits required to execution within one (1) year of the date hereof.	eute the approved plans be obtained	
		3. That the Plan of Operation and al fully complied with and maintained.	l plans as submitted to the Board, be	

- be
- That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.
- That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.
- That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
41	32273 Special Use	Isha Enterprises Inc. DBA Capitol Court Citgo;Property Owner	4001 N. 60th St. 2nd Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal	. Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
Conditions of 1. That the building and premises sha Approval: with applicable building and zoning code re		1 1	
		2. That any permits required to execution one (1) year of the date hereof	ecute the approved plans be obtained

- d within one (1) year of the date hereof.
- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- That landscaping and screening is maintained in a manner that meets the intent of city code.
- 5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises
- 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.
- That the applicant does not have outdoor storage or display of products or merchandise.
- That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- That this Special Use is granted for a period of ten (10) years, 10. commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
42	32312 Special Use	Sue Vang, John Vang, Pao Lee Vang Lessee 8715 W. Fond Du Lac Av. A/K/A 8715 W. Fond Du L 2nd Dist. Request to continue occupying the premises as a 24 hour day care center for 68 children per shift infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal.	Seconded by Henry Szymanski.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, com with applicable building and zoning code regulations.	
		2. That any permits required to exec within one (1) year of the date hereof.	ute the approved plans be obtained

- within one (1) year of the date hereof.
- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- That the outdoor play area is not utilized before 9:00 A.M. or after 4. 8:00 P.M.
- 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.
- That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.
- That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts
- 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- That the petitioner obtains an occupancy certificate by having all 9. required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements.
- 10. That the facility does not exceed a capacity of 68 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 68 children.
- That this Special Use is granted for a period of ten (10) years, 11. commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.	
43	32285 Special Use	Ann Tilque Lessee Request to continue occupying the premises as a second-hand sales facility.	1668 N. Warren Av. A/K/A 1668 A N. Warren Av. 3rd Dist.	
	Action:	Granted 10 yrs.		
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Henry Szymanski.		
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.		
	Conditions of Approval:	1. That the building and premises s with applicable building and zoning code	shall, in all other respects, comply regulations.	
		2. That any permits required to exe within one (1) year of the date hereof.	cute the approved plans be obtained	
		3. That the Plan of Operation and a fully complied with and maintained.	all plans as submitted to the Board, be	
		4. That signage must meet the sign. Milwaukee Zoning Code.	age standards of s.295-605 of the	

- Milwaukee Zoning Code.
- 5. That the storefront windows remain as transparent glass and are maintained in an attractive manner.
- That the applicant does not have outdoor storage or display of products or merchandise.
- That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> No.	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.		
44	32335 Special Use	John H Simonitsch Property Owner	1441 N. Franklin Pl. A/K/A 1441 N. Franklin Pl. 15 3rd Dist.		
		Request to continue occupying a portion of the premises as an office.	Sta Dist.		
	Action:	Granted 15 yrs. Martin Kohler moved to grant the appeal. Seconded by Henry Szymanski.			
	Motion:				
Vote: 4 Ayes, 0 Nays, 1 C. Doyle		4 Ayes, 0 Nays, 1 C. Doyle Abstained.			
	Conditions of Approval:	rons or rime and canding and promises small, in an early			
		2. That any permits required to execu within one (1) year of the date hereof.	te the approved plans be obtained		
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be		
		4. That this Special Use is granted for commencing with the date hereof.	r a period of fifteen (15) years,		

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
45	32242 Special Use	Melissa Frechette Lessee	642 W. Garfield Av. A/K/A 642 A W. Garfield Av. 6th Dist.
		Request to occupy the premises as a tavern.	
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal.	Seconded by Jose Dominguez.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of 1. That the building and premises shall, in all other res. Approval: with applicable building and zoning code regulations.		1 1

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.
- 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 6. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the concrete steps to occupy the public right-of-way.
- 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 8. That the petitioner comply with DNS order #9873551 by June 30, 2013.
- 9. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.
- 10. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.
46	32216 Special Use	RD Expedited, Inc. Prospective Buyer	1101 W. Grange Av. A/K/A 1121 W. Grange Av. 13th Dist.
		Request to occupy the premises as a truck freight terminal and motor vehicle repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	of 1. That the building and premises shall, in all other respectively with applicable building and zoning code regulations.	

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group to create a landscape and screening plan along the W. Grange Ave frontage. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. The landscape plan may require the removal of a portion of the paved surface to create a planting strip.
- 5. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.
- 6. That no work or storage of vehicles occurs in the public right-of-way.
- 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.
- 8. That all repair work is conducted inside the building.
- 9. That there be no parking or driving on unpaved surfaces.
- 10. That all surfaces used for parking or driving be paved.
- 11. That the applicant develop and submit to the Board of Zoning Appeals office a Traffic Safety Plan addressing protocol for driving and parking during peak operational periods of the truck terminal and periods of peak use of adjacent properties, including the park located across Grange Av.
- 12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.
47	32241 Special Use	Firdous Chandani Lessee Request to occupy the premises as a second-hand sales facility.	954 N. 27th St. A/K/A 956 N. 27th St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appe	al. Seconded by Jose Dominguez.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	
		2. That any permits required to execution one (1) year of the date hereof	ute the approved plans be obtained

- d within one (1) year of the date hereof.
- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- 6. That the applicant does not have outdoor storage or display of products or merchandise.
- That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
48	32124 Special Use	Saleem & Olivia El-Amin New Horizon Day Care Center LLC;Lessee	7918 W. Capitol Dr. 5th Dist.
		Request to increase the hours of operation from 6:00 a.m 6:00 p.m. to 6:00 a.m midnight and to continue occupying the premises as a day care center for 85 children per shift infant to 12 years of age operating Monday - Friday.	
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal.	Seconded by Jose Dominguez.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sha with applicable building and zoning code re	
		2. That any permits required to executivithin one (1) year of the date hereof.	tte the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be
		4. That signage must meet the signag Milwaukee Zoning Code.	e standards of s.295-605 of the
		5. That the outdoor play area is not ut 8:00 P.M.	tilized before 9:00 A.M. or after
		6. That the petitioner submit a copy of	of the State of Wisconsin day care

the special use

number must be available 24 hours a day.

7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone

license to the Board of Zoning Appeals within 60 days of Board approval of

- 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 9. That all pick-up and drop-off after 7:00 p.m. be conducted along Capitol Dr.
- 10. That the facility does not exceed a capacity of 40 children after 6:00 p.m.
- 11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.		
49	32264 Special Use	Andrew Neumann Property Owner Request to construct an addition to the existing school and to increase the number of students from 350 to 600 K4 - 8th grades for the school operating Monday - Friday 7:00 a.m 7:00 p.m.	3601 N. Port Washington Av. A/K/A 3609 N. Port Washington Av. 6th Dist.		
	Action:	Granted			
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez. 4 Ayes, 0 Nays, 1 C. Doyle Abstained.			
	Vote:				
	Conditions of Approval:		That the building and premises shall, in all other respects, comply ith applicable building and zoning code regulations.		
		2. That any permits required to execute the approved plans be ob within one (1) year of the date hereof.			
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be		
		4. That signage must conform to the sthe Milwaukee Zoning Code.	sign standards of s. 295-605-5 of		

- 5. That the petitioner submit a Traffic Safety Plan to the Board of Zoning Appeals office.
- 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 11, 2022.

<u>Ite</u> <u>No</u>	<u>em</u> 0.	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
50)	32128 Dimensional Variance	Chuck Thorn Lessee Request to occupy the premises as a permitted outdoor storage facility that does not meet the minimum required landscaping.	3125 N. 31st St. A/K/A 3100 A W. Burleigh St. 7th Dist.
		Action:	Adjourned	
		Motion:	Jose Dominguez moved to adjourn the appe	al. Seconded by Donald Jackson.
		Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
		Conditions of Approval:		

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
51	32296 Special Use	Kathie Wilturner Foundation of Learning Childcare;Lessee Request to occupy the premises as a school for	3861 N. 35th St. A/K/A 3863 N. 35th St. 7th Dist.
		Friday 7:45 a.m 3:00 p.m., and day care center for 70 children per shift infant to 12 years of age operating Monday - Saturday 6:00 a.m midnight (maximum of 70 children on site at one time).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Second	onded by Jose Dominguez.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, applicable building and zoning code regulations	1 , 13
		2 That any permits required to execute t	he approved plans he obtained within

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
- 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
- 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.
- 8. That warning, parking and other regulatory signage associated with traffic control in school zones be installed as required.
- 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 10. That the facility does not exceed the capacity established by the State Department of Children and Families.
- 11. That the alley not be used to access the site for pick-up or drop-off of children.
- 12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.	
52	32217 Special Use	Choice One Financial Services LLC Prospective Buyer Request to add a cash-for-gold business to the existing Board approved currency exchange and pay day loan facility.	2000 W. Forest Home Av. A/K/A 2000 W. Becher St. 8th Dist.	
Action: Granted 1 yr.		Granted 1 yr.		
	Motion:	Motion: Henry Szymanski moved to grant the appeal. Seconded by		
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.		
Conditions of 1. That the building and premises shall, in all other re Approval: with applicable building and zoning code regulations.		1		
		2. That any permits required to execute the approved plans be within one (1) year of the date hereof.		

- within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 7. That this Special Use for a cash-for-gold facility is granted for a period of one (1) year, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.
care center for 16 children to 6 years of age, operate		•	717 S. 37th St. A/K/A 717 A S. 37th St. 8th Dist.
	Action:	Granted 5 yrs.	
Motion: Henry Szymanski moved to grant the appeal. Seconder Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all or with applicable building and zoning code regulations.		al. Seconded by Donald Jackson.	
		2. That any permits required to exec	ute the approved plans be obtained

- d within one (1) year of the date hereof.
- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That the outdoor play area is not utilized before 9:00 A.M.
- 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.
- 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.
- That the storefront windows are restored to transparent glass in accordance with the glazing standards of s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.
54	32102 Special Use	All Night Child Care, Inc. Lessee Request to increase the hours of operation from Monday - Friday 6:00 a.m midnight to 24 hours Monday - Sunday and to continue occupying the premises as a day care center for 39 children per shift infant to 12 years of age.	8225 N. 107th St. A/K/A 8225 N. 107th St. 1 9th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal	Seconded by Donald Jackson.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
55	32233 Special Use	Kathy Perry Lessee Request to occupy the premises as a religious assembly hall and social service facility.	5514 W. Lisbon Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the reque for the next available hearing.	st of staff and will be rescheduled
	Vote:		
	Conditions of Approval:		

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
			935 W. National Av. A/K/A 939 W. National Av. A 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal	. Seconded by Martin Kohler.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
Conditions of 1. That the building and premises sl Approval: with applicable building and zoning code		1 1	
		2. That any permits required to executive one (1) year of the date hereof	cute the approved plans be obtained

- d within one (1) year of the date hereof.
- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- That the applicant supply a 24-hour contact phone number to the 6. Board office and any interested party that requests it.
- The occupancy capacity is limited to 25 unless the applicant submits plans, obtains permits and installs a second restroom.
- That this Special Use is granted for a period of three (3) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Descri</u>	ption	Premises Address/Ald. Dist.
57	32244 Use Variance	Propert Reques facility	Huddleston y Owner t to add a motor vehicle sales to the existing Board approved yehicle repair facility.	1122 W. Becher St. A/K/A 1136 A W. Becher St. 12th Dist.
	Action:	Grante		
	Motion:	Henry S	Szymanski moved to grant the appea	al. Seconded by Donald Jackson.
	Vote:	4 Ayes	, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comp with applicable building and zoning code regulations.		
		2. within	That any permits required to execuone (1) year of the date hereof.	ate the approved plans be obtained
		3. fully co	That the Plan of Operation and all omplied with and maintained.	plans as submitted to the Board, be
		4. Milwau	That signage must meet the signagulate Zoning Code. Specifically that	
		5.	That all repair work is conducted i	inside the building.
		6.	That all doors must be closed whe	n power tools are in use.
		7. 2 vehic	That the petitioner be limited to the les for sale.	e outdoor display of a maximum of
		8.	That there be no more than four ve	ehicles for sale at any one time.

That no work or storage of vehicles occurs in the public right-of-way.

That the applicant has no outdoor storage of auto parts, tires, nuisance

That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a

That no sales vehicles are displayed in the public right-of-way.

That this Use Variance is granted for a period of five (5) years,

9.

10.

11.

12.

13.

sign permit.

vehicles or other junk and debris.

commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	Description	Premises Address/Ald. Dist.
58	32235 Special Use	Inter-Active Playground, LLC Rodney B. Lynk, Sr. & De Anna P. Lynk;Lessee	4030 S. Howell Av. 13th Dist.
		Request to occupy the premises as an indoor recreation facility and second-hand sales facility.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appearance	al. Seconded by Donald Jackson.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sha with applicable building and zoning code re	
		2. That any permits required to executivithin one (1) year of the date hereof.	ute the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	plans as submitted to the Board, be
		4. That signage must meet the signage Milwaukee Zoning Code.	ge standards of s.295-605 of the
		5. That the storefront windows remarkative manner.	in as transparent glass per s295-605- ces and are maintained in an

- 6. That the applicant does not have outdoor storage or display of products or merchandise.
- 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
59	32091 Special Use	Bernadette Anderson Other	4718 W. Garfield Av. 15th Dist.
		Request to occupy the premises as a transitional living facility for 8 occupants	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appear	al. Seconded by Martin Kohler.
Vote: 4 Ay		4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises s with applicable building and zoning code	shall, in all other respects, comply regulations.
		2	. 4. 4

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.
- 6. That residents not live on site for a period in excess of 24 months per s295-201-664.5 of the Milwaukee Zoning Code.
- 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for R-3 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 8. That the clientele not include individuals with a history of substance abuse, violent behavior, sexual offenses and/or mental illness.
- 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
60	32248 Special Use	Taleka S. Gordon Vidal D. Gordon;Lessee Request to occupy the premises as a day care center for 24 children per shift infant to 5 years of age, operating Monday - Sunday 6:00 a.m midnight.	1406 W. Fond Du Lac Av. A/K/A 1400 W. Fond Du Lac Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the requeand will be rescheduled for the next available	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
61	32164 Special Use	Taj International Petroleum Co. Hardeet S. Walia;Property Owner	4057 N. Green Bay Av. 1st Dist.
		Request to construct an addition and to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	1
		2. That any permits required to exec	ute the approved plans be obtained

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.
- 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.
- 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.
- 9. That landscaping and screening in accordance to the plan submitted to the Board on October 30, 2012 is implemented and is maintained in a manner that meets the intent of city code.
- 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile-M occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
62	32240 Special Use	James Carter Lessee	5268 N. 35th St. A/K/A 5266 N. 35th St. 1st Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the app	peal. Seconded by Donald Jackson.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
Conditions of 1. That the building and premises shall, Approval: with applicable building and zoning code regularity.		1	
		2. That any permits required to exe	ecute the approved plans be obtained

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business B occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 6. That the use of the cafeteria is limited to a maximum of 49 persons.
- 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
63	32275 Special Use	Northwest Funeral Chapel, Inc. J.C. Frazier;Property Owner	4034 W. Good Hope Rd. 1st Dist.
		Request to occupy the premises as an assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szyman	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code in	
		2 That are recording to the first terms of the firs	4.45

- 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.
- 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.
- 5. That the applicant supply a 24-hour contact phone number to the Board office and any interested party that requests it.
- 6. That an employee and/or security personnel be on site during all events.
- 7. That the existing message board on the freestanding sign is removed or that the petitioner submit a revised plan that meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.
- 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
64	32307 Dimensional Variance	Dominic Clark Property Owner Request to allow 5 accessory structures on the premises (applicant is combining adjacent properties at 6475 N. 40th St. & 6457 N. 40th St.).	6475 N. 40th St. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appe	al. Seconded by Donald Jackson.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises sh with applicable building and zoning code r	
		2. That any permits required to exec within one (1) year of the date hereof.	ute the approved plans be obtained
		3. That the Plan of Operation and all fully complied with and maintained.	I plans as submitted to the Board, be
		4. The petitioner agrees to construct on the property and maintains the structure variance case #32307 in a manner consiste code.	

premises.

6.

That the petitioner has no motor vehicle outdoor storage on the

That this Variance is granted to run with the land.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.
65	32311 Special Use	Melia Jackson Prospective Buyer Request to occupy the premises as a day care center for 45 children per shift infan to 12 years of age, operating Monday - Friday 6:30 a.m midnight and Saturday 7:30 a.m 5:30 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the app	eal. Seconded by Donald Jackson.
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises swith applicable building and zoning code	shall, in all other respects, comply regulations.
		2. That any permits required to execution one (1) year of the date hereof.	ecute the approved plans be obtained
		3. That the Plan of Operation and a	all plans as submitted to the Board, be

- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- That signage must meet the signage standards of s.295-805 of the 4. Milwaukee Zoning Code.
- That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
- That the petitioner submit a copy of the State of Wisconsin day care 6. license to the Board of Zoning Appeals within 60 days of State issuance of the license.
- 7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- That the facility does not exceed a capacity of 45 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 45 children.
- 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.	
66	32201 Special Use	Anchorage Home Adult Day Center Lurean L. Nelson Slocum;Property Owner	6435 W. Capitol Dr. A/K/A 6427 W. Capitol Dr. 2nd Dist.	
		Request to occupy a portion of the premises as an adult day care center for 50 clients.		
	Action:	Granted 1 yrs.		
Motion: Henry Szymanski moved to grant the appeal. So		al. Seconded by Martin Kohler.		
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.		
	Conditions of Approval:	1. That the building and premises shall, in all other resp with applicable building and zoning code regulations.		
		2. That any permits required to exec within one (1) year of the date hereof.	eute the approved plans be obtained	

- d within one (1) year of the date hereof.
- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.
- That the storefront windows remain as transparent glass per s295-605-5. 2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.
- That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 7. That the petitioner apply for all necessary permits within 14 days of the date of the written decision.
- That all renovations be completed within 90 days of issuance of the building permit.
- 9. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.	
67	32315 Special Use	Michelle Deutsch Property Owner	832 E. Meinecke Av. A/K/A 830 E. Meinecke Av. 3rd Dist.	
		Request to occupy the premises as a day care center for 49 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m midnight (this is a new operator).		
	Action:	Granted 5 yrs.		
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.		
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.		
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.		
		2. That any permits required to exec within one (1) year of the date hereof.		

- d within one (1) year of the date hereof.
- That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
- 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.
- That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.
- That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.
- That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of licensure.
- That a Department of Public Works (DPW) permit is obtained for any 8. work in the public right-of-way, including, but not limited to, construction of the handicap ramp.
- 9. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the the handicap ramp to occupy the public right-ofway.
- 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements prior to occupancy.
- 11. That the facility does not exceed a capacity of 49 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 49 children.
- That this Special Use is granted for a period of five (5) years, 12.

<u>Item</u> <u>No.</u>	Case No./ Case Type	<u>Description</u>	Premises Address/Ald. Dist.	
		commencing with the date hereof.		
68	32319 Dimensional Variance	David Swanson Property Owner Request to construct an addition that does not meet the minimum required south setback (required 6 ft. / proposed 2.25 ft.).	2841 N. Shepard Av. 3rd Dist.	
	Action:	Adjourned		
	Motion:	This matter has been adjourned at the request of the applicant and will be rescheduled for the next available hearing.		
	Vote:			
	Conditions of Approval:			
69	32161 Use Variance	Ali Omar Ismail Lessee	3425 W. Oklahoma Av. 11th Dist.	
		Request to occupy a portion of the premises as a cash-for-gold business.		
	Action:	Dismissed		
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.		
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.		
	Conditions of Approval:			

<u>Item</u>	Case No./
No.	Case Type

Description

Premises Address/Ald. Dist.

Other Business:

Board member Henry Szymanski moved to approve the minutes of the January 17, 2013 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for March 21, 2013.

Board member Martin Kohler moved to adjourn the meeting at 7:37 p.m.. Seconded by Board member Jose Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

ItemCase No./No.Case Type

Description

Premises Address/Ald. Dist.